

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 2024 of 1982

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

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MAHENDRA TRANSPORT CO.,

Versus

DIRECTOR OF TRANSPORT & SECY. STATE TRANSPORT AUTHORITY

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Appearance:

None present for Petitioner

None present for Respondent

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CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 09/12/97

ORAL JUDGEMENT

After going through the contents of the Special Civil Application and the order impugned in this Special Civil Application, in view of the interim relief which has been granted by this Court, nothing now survives in substance in the matter.

2. The All India Tourist Permit which the petitioner was holding was ordered to be suspended for 20 days in

exercise of powers under section 60 of the Motor Vehicles Act, 1939. That order has been challenged by petitioner by filing appeal before the appellate authority but under the impugned order that appeal came to be dismissed. Hence this Special Civil Application.

3. So the order of suspending the All India Tourist Permit which was there, has not been given effect to for all these years and no purpose will be served in case those orders are now given effect to. However, without going into the merits of the order impugned in the Special Civil Application and without any expression of opinion of correctness of the orders, the respondents are directed not to give effect to the order of placing of All India Tourist Permit of the petitioner under suspension for the alleged breach of terms of permit. However, this order may not be taken as if this Court has confirmed the order of the State Transport Appellate Tribunal given in the appeal filed by petitioner and impugned in this Special Civil Application.

4. This Special Civil Application and Rule stands disposed of in aforesaid terms with no order as to costs.

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(sunil)